

REMARKS

Claims 1, 3-7 and 9-12 are pending in this application.

The Office Action rejects claims 1, 3-6 and 11 under 35 U.S.C. §103(a) over Wellman et al. (Wellman), U.S. Patent No. 6,212,449, in view of Poulson et al. (Poulson), U.S. Patent No. 7,231,757; and rejects claims 7, 9, 10 and 12 under 35 U.S.C. §103(a) over Wellman in view of Poulson, and further in view of Chou et al. (Chou), U.S. Patent No. 6,330,499. The rejections are respectfully traversed.

The combination of Wellman and Poulson does not disclose, and would not have rendered obvious, a vehicle fault diagnostic system having an identified fault countermeasure means that is installed in an information center to take countermeasures against an identified fault, recovery process execution means that is installed in the vehicle to make the vehicle itself perform the recovery process that is instructed, and process determination means that is installed in the vehicle or in the information center to determine in accordance with the result of said recovery process whether another recovery process should be continued or not, as recited in independent claim 1 and similarly recited in independent claims 5 and 7.

The Office Action asserts that Wellman discloses the above features, however, Wellman merely teaches that an event code representing an abnormality that occurred in a truck 10 is displayed to a serviceman (see col. 6, lines 6-31). In Wellman, the event codes are defined as codes that each correspond to the modules of the electronic control system 300 (see Fig. 4 and col. 6, lines 19-22). Therefore, the event code displays the part in which the abnormality occurs, but the code does not instruct a vehicle to perform a recovery process. Further, in Wellman, the recovery processing is determined by a serviceman based on his or her own knowledge and skill, not by an identified fault countermeasure means. Furthermore, in Applicant's claims, the vehicle performs the recovery processing which is indicated by the identified fault countermeasure means.

Additionally, the Office Action asserts that Poulson teaches the claimed recovery process execution means. However, the device taught by Poulson neither receives an instruction issued by an information center, nor performs a recovery processing which is instructed from outside. Instead, Poulson teaches performing a recovery processing based on the result of a self-diagnosis.

Therefore, the combination of Wellman and Poulson does not disclose, and would not have rendered obvious, a vehicle fault diagnostic system having an identified fault countermeasure means that is installed in an information center to take countermeasures against an identified fault, recovery process execution means that is installed in the vehicle to make the vehicle itself perform the recovery process that is instructed, and process determination means that is installed in the vehicle or in the information center to determine in accordance with the result of said recovery process whether another recovery process should be continued or not, as recited in independent claim 1 and similarly recited in independent claims 5 and 7.

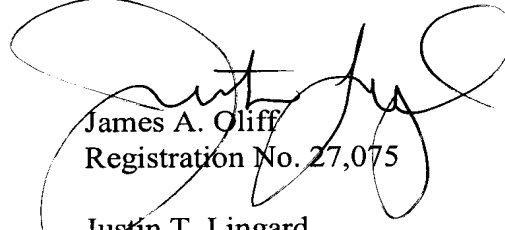
With respect to claim 7, the combination of Wellman, Poulson and Chou also fails to disclose, and would not have rendered obvious, the above features for the same reasons as discussed above. In particular, Chou fails to overcome the deficiencies of Wellman and Poulson, and is only cited as allegedly disclosing a fault seriousness determining means.

Therefore, independent claims 1, 5 and 7, and dependent claims 3, 4, 6 and 9-12 are patentable over the applied references. Thus, it is respectfully requested that the rejections be withdrawn.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



James A. Oliff
Registration No. 27,075

Justin T. Lingard
Registration No. 61,276

JAO:JTL/hs

Attachment:
Petition for Extension of Time

Date: November 10, 2008

OLIFF & BERRIDGE, PLC
P.O. Box 320850
Alexandria, Virginia 22320-4850
Telephone: (703) 836-6400

<p>DEPOSIT ACCOUNT USE AUTHORIZATION Please grant any extension necessary for entry; Charge any fee due to our Deposit Account No. 15-0461</p>
